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APPLICATION NO. FILING DATE		FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.	
10/051,968	01/16/2002	Joseph M. Ross	HEND-AI	1544	
7	7590 08/25/2003				
David P. Dur	* *	EXAMINER			
4518 Fulton D	•	TO, TOAN C			
Canton, OH 4	4735-5548		ART UNIT	PAPER NUMBER	
			3616		
		DATE MAILED: 08/25/2003			

Please find below and/or attached an Office communication concerning this application or proceeding.

Offic Action Summary  Examiner Toan C To 3816  Art Unit Toan C To 3816  A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE £ MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.  Electroder of time may be senilated under the provision of 37 CFR 1.13(a). In no event, however, may a reply be limely field after 60 K gli MONTH (S) FROM THE MAILING DATE OF THIS COMMUNICATION.  Electroder of time may be senilated under the provision of 37 CFR 1.13(a). In no event, however, may a reply be limely field after 60 K gli MONTH (S) FROM THE MAILING DATE of THIS COMMUNICATION.  Electroder of time may be availated under the provision of 37 CFR 1.13(a).  If No pred to the senior was pred to the considered timely.  If No pred to the senior was pred to the senior was allowed.  Fallate to reply within the set or extended parted for reply will, by stable, clause the application is become ABMAGORIE (38 U.S.C.§ 133).  Ary reply accessed by the folice above, the mailtain glist of the in-mailing date of the communication.  Fallate to reply within the set or extended parted for reply will, by stable, clause the application is become ABMAGORIE; date of the communication.  Fallate to reply within the set or extended parted for reply will, by stable, clause the application is extended to the set of					Application I	lo.	Applicant(s)	Λ	
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The MALLING DATE of this communication appears on the cover sheet with the correspondence address of Reply  A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 1 MONTH(S) FROM THE MALLING DATE OF THIS COMMUNICATION.  Extensions of arm may be available under the previous of 3 CFR 1:136(s). In or event, however, may a reply be timely filled the proof of the proof		Offic	Action Summary		Examiner		Art Unit	I X I	
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THE MAILING DATE OF THIS COMMUNICATION.  Extensions of ther may be available under the provisions of 3 CPR 1.15(g). In no event, however, may a reply bet timely filed after 5X; (g) MCNTHS from the mailing date of this communication apply within the statutory minimum of thiny (30) days will be considered timely.  If NO persol for engly is specified above, the maximum statutory persol within the statutory minimum of the provision of the considered timely.  If NO persol for engly is specified above, the maximum statutory persol within the provision of the communication. Fallure to reply within the set or extended plane from the maining date of this communication. Fallure to reply within the set of extended plane from the provision of the communication. Fallure to reply within the set of extended plane from the provision of the communication. Fallure to reply within the set of the communication. Fallure to reply within the set of the communication. Fallure to reply within the set of the communication. Fallure to reply within the set of the communication. Fallure to the communication of the communication of the communication. Fallure to the communication of the communication of the communication. Fallure to the communication of the communication. Fallure to the communication of the communication. Fallure to the communication of the communication of the communication of the communication of the communication. Fallure to the communication of the communication of the communication of the communication. Fallure to the communication of the communication of the communication of the communication of the communication. Fallure to the communication of the communication of the communication. Fallure to the communication. Fallure to the communication of the communication of the c			ING DATE of this commu	nication app	ears on the co	ver sheet with the (	correspondence ac	ddress -	
1) Responsive to communication(s) filed on 16 January 2002.  2a) This action is FINAL. 2b) This action is non-final.  3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11, 453 O.G. 213.  Disposition of Claims  4) Claim(s) 1-10 is/are pending in the application.  4a) Of the above claim(s) is/are withdrawn from consideration.  5) Claim(s) is/are allowed.  6) Claim(s) is/are objected to.  8) Claim(s) 1-10 are subject to restriction and/or election requirement.  Application Papers  9) The specification is objected to by the Examiner.  10) The drawing(s) filed on is/are: a) cocepted or b) objected to by the Examiner.  Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  11) The proposed drawing correction filed on is: a) approved b) disapproved by the Examiner.  If approved, corrected drawings are required in reply to this Office action.  12) The oath or declaration is objected to by the Examiner.  Priority under 35 U.S.C. §§ 119 and 120  13) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  a) All b) Some *c) None of:  1. Certified copies of the priority documents have been received in Application No.  3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  *See the attached detailed Office action for a list of the certified copies not received.  14) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).  a) The translation of the foreign language provisional application has been received.  15) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).  1 Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).  1	THE MAI  - Extension after SIX  - If the peri  - If NO peri  - Failure to  - Any reply earned pa	ILING D as of time m (6) MONTH od for reply iod for reply reply within received b	NATE OF THIS COMMUN hay be available under the provision HS from the mailing date of this com a specified above is less than thirty ( y is specified above, the maximum on the set or extended period for reply the Office later than three months	IICATION. s of 37 CFR 1.15 munication. 30) days, a reply statutory period v v will, by statute	36(a). In no event, he within the statutory will apply and will expose the application.	nowever, may a reply be till minimum of thirty (30) day bire SIX (6) MONTHS from on to become ABANDONE	mely filed ys will be considered time n the mailing date of this o ED (35 U.S.C. § 133).	ly. communication.	
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## **DETAILED ACTION**

## Election/Restrictions

This application contains claims directed to the following patentably distinct 1. species of the claimed invention:

Species I: figures 2, 2A-C

Species II: figures 3, 3A-C.

Species III: figures 4, 4A-C

Applicant is required under 35 U.S.C. 121 to elect a single disclosed species for prosecution on the merits to which the claims shall be restricted if no generic claim is finally held to be allowable. Currently, claims 1, and 5 are generic.

Applicant is advised that a reply to this requirement must include an identification of the species that is elected consonant with this requirement, and a listing of all claims readable thereon, including any claims subsequently added. An argument that a claim is allowable or that all claims are generic is considered nonresponsive unless accompanied by an election.

Upon the allowance of a generic claim, applicant will be entitled to consideration of claims to additional species which are written in dependent form or otherwise include all the limitations of an allowed generic claim as provided by 37 CFR 1.141. If claims are added after the election, applicant must indicate which are readable upon the elected species. MPEP § 809.02(a).

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Should applicant traverse on the ground that the species are not patentably distinct, applicant should submit evidence or identify such evidence now of record showing the species to be obvious variants or clearly admit on the record that this is the case. In either instance, if the examiner finds one of the inventions unpatentable over the prior art, the evidence or admission may be used in a rejection under 35 U.S.C. 103(a) of the other invention.

2. A telephone call was made to Mr. David Dureska on August 16, 2003 to request an oral election to the above restriction requirement, but did not result in an election being made.

Applicant is advised that the reply to this requirement to be complete must include an election of the invention to be examined even though the requirement be traversed (37 CFR 1.143).

## Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Toan To whose telephone number is (703) 306-5951. The examiner can normally be reached on Monday-Friday from 8:00 AM to 5:00 PM. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Paul Dickson, can be reached on (703) 308-2089. The fax phone number for the organization where this application or proceeding is assigned is (703) 308-2571.

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Any inquiry of a general nature or relating to the status of this application or this application or proceeding should be directed to the receptionist whose telephone number is (703)305-1113.

To, T

August 21, 2003